

CITY OF SAN DIEGO SAN DIEGO, CALIFORNIA

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OFFICE OF THE REDEVELOPMENT AGENCY

SAN DIEGO, CALIF.





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ARTICLE II

GENERAL DEFINITIONS

SEC. 200 Definitions

200.1 The following definitions are used in this Plan unless otherwise indicated by the text:

- A. "Agency" means the Redevelopment Agency of the City of San Diego. California.
- B. "City" means the City of San Diego, California.
- C. "City Council" means the City Council of the City of San Diego, California.
- D. "Planning Commission" means the Planning Commission of the City of San Diego, California.
- E. "Mid-City Community" means that area of the City designated by the City Council as the Mid-City Community Planning Area.
- F. "College Grove Redevelopment Survey Area" means that section of the Mid-City community established by the City Council as one area of the Mid-City community considered for redevelopment under the California Health and Safety Code.
- G. "Plan" means the Redevelopment Plan for the College Grove Redevelopment Project.
- H. "Project Area" means the area included within the boundaries of the College Grove Redevelopment Project.
- I. "Project" means the College Grove Redevelopment Project.
- J. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Section 33000 et. seq.).
- K. "State" means the State of California.
- L. "General Plan" means the General Plan Map and Text of the City of San Diego, California as adopted and including any additions, amendments, revisions, and/or modifications thereto.

- M. "Community Plan" means the <u>City of San Diego</u>, <u>California</u>
 Mid-City Community Plan <u>Text and Map including the Oak Park Neighborhood Element</u> as adopted and including additions, amendments, revisions and/or modifications thereto.
- N. \(\Lambda\) "PCD" means Planned Commercial District Permit No. 85-0747 approved for the College Grove Center project on March 21, 1986, as it may be amended from time to time.

REDEVELOPMENT PLAN

FOR THE

COLLEGE GROVE REDEVELOPMENT PROJECT

ARTICLE I

INTRODUCTION

SEC. 100 Legal Foundation

This Redevelopment Plan for the College Grove Redevelopment Project has been prepared by the Redevelopment Agency of the City of San Diego, California, pursuant to the Community Redevelopment Law of the State of California, the California Constitution, and all applicable local laws and ordinances.

The proposed redevelopment conforms to the General Plan for the City of San Diego adopted by the City Council <u>and</u> the Mid-City Community Plan adopted by the City Council on December 4, 1984, as amended.

This Redevelopment Plan is based on a Preliminary Redevelopment Plan approved by the Planning Commission on October 24, 1985, and accepted and approved by the Redevelopment Agency on October 29, 1985.

SEC. 110 Project Objectives

- The objectives of this Redevelopment Project are as follows:

 A. The elimination of existing blighted conditions, be they properties or structures, and the prevention of recurring blight in and about the Project Area.
 - B. The development of property within a coordinated land use pattern of commercial and public facilities in the Project Area consistent with the goals, policies, objectives, standards, guidelines, and requirements as set forth in the City's adopted General Plan, Mid-City Community Plan, Zoning Ordinance, and the Planned Commercial Development (PCD) Permit for the redevelopment of the College Grove Shopping Center.
 - C. The development of public services and facilities including, but not limited to, recreational, maintenance, and operational services and facilities as are necessary and required for the redevelopment of the Project Area.
 - D. The elimination of environmental deficiencies including inadequate street and freeway improvements, inadequate utility

systems, and inadequate public services; and mitigation of highway impacts, including its circulation, movement and its potential social, physical, and environmental characteristics of blight.

- E. The development of a more efficient and effective circulation corridor system free from hazardous vehicular, pedestrian, and bicycle interfaces and designed to their ultimate circulation flow.
- F. The implementation of techniques to mitigate blight characteristics resulting from exposure to highway, and public right-of-way corridor activity and affecting adjacent properties within the Project Area.
- G. Beautification activities to eliminate all forms of blight including, but not limited to, visual blight, in order to encourage community identity.
- H. The encouragement, promotion, and assistance in the development and expansion of local commerce and needed commercial facilities, increasing local employment prosperity, and improving the economic climate within the Project Area, and the various other isolated vacant and/or underdeveloped properties within the Project Area.
- I. The creation of a more cohesive and unified community by strengthening the physical, social, and economic ties between residential, commercial, industrial, and recreational land uses within and adjacent to the Project Area.
- J. To provide for very low-, low- and moderate-income housing availability as required by County, Region, or State law and requirements, as necessary and desirable, consistent with the goals and objectives of the community.
- K. To encourage the coordination, cooperation, and assistance of other local agencies, as may be deemed necessary, to ensure that projects undertaken by this Agency are implemented to their fullest and most practical extent.
- L. The achievement of a physical environment reflecting the high level of concern of architectural and urban design principles deemed important by the community and property owners.
- M. To encourage property owner involvement in the adoption of policies, programs, and projects so as to ensure that the Redevelopment Plan is implemented in accordance with the objectives and goals of the General Plan.

N. To provide a procedural and financial mechanism by which the Agency can assist, complement, and coordinate public and private development, redevelopment, revitalization, and enhancement of the community.

The general land utilization objectives are <u>as follows</u>:

- A. To encourage the development of a well-planned and designed regional commercial center which meets the adopted high standards of the community.
- B. To provide for sufficient land area within the Project Area for appropriate types of commercial uses and development, properly located to provide services and goods to meet the commercial needs of the area, the community, and the region.
- C. To provide for required community facilities and public services including recreational facilities and governmental services.
- D. To provide an adequate traffic circulation and control system within the Project Area so as to provide for efficient and safe movement of people, goods, and services in conformance with the General Plan and the Community Plan.
- E. To provide for the installation and improvement of streets, public utilities, sewer, and water services necessary to the ultimate redevelopment of the Project Area.
- F. To provide the direction, purpose, and climate for combined public and private investment which will result in benefits to the community as a whole.
- G. To provide for redevelopment and expansion of College Grove Shopping Center.
- H. To provide for the beautification and revitalization of the Project Area and College Grove Shopping Center, enabling the community to further establish an identity and a quality of life which is desired by its citizens and businesspersons.
- I. To provide assistance, enticements, and encouragement to ensure that the Project Area is developed to its fullest and ultimate usage, ensuring that the standards and requirements of the Municipal Code and the policies, goals, and objectives of the General Plan and the Community Plan are met.
- J. To provide a smooth plan that implements the transitional character of College Grove Shopping Center from a disused retail facility to an efficient and profitable Center.

ARTICLE III

PROJECT AREA BOUNDARIES

SEC. 300 Boundaries

A portion of College Grove Center, according to Map thereof No. 3589, on file in the Office of the County Recorder of San Diego County, California; all of College Grove Annex, Map thereof No. 4063, on file in said County Recorder's office; a portion of Parcel "O" of Lot 19 of Rancho Mission, according to the Partition Map thereof as shown in Superior Court Case No. 12524 of the County of San Diego; a portion of Lot 13 of Rancho Mission, according to the Partition Map thereof as shown in Superior Court Case No. 348 of said County; together with portions of College Avenue, College Grove Drive (formerly Ryan Road), College Grove Way (formerly Ryan Way), and Racine Road (formerly Radio Road), all being in the City of San Diego, County of San Diego, California described as follows:

Parcel 1

Beginning at the Southwesterly corner of Lot 3 of said Map No. 3589; thence along the Westerly boundary of said Lot 3 north 00°29'30" East 497.94 feet to the Southerly line of Lot 8 of said Map No. 3589; thence along the boundary of said Lot 3 South 89°22'20" East 230.00 feet, and North 18°54'43" East 94.78 feet, and North 00°37'30" East 60.00 feet, and South 89°22'20" East 58.82 feet to the Westerly right-of-way of said College Grove Drive, as shown on Record of Survey Map No. 5848 as filed in the office of said County Recorder, being also a point in a nontangent 716.00 foot radius curve concave Westerly, a radial line to said point bears South 81°49'54" East; thence Northerly along said Westerly right-of-way through a central angle of 02°37'27" an arc distance of 32.79 feet; thence continuing along said Westerly right-of-way the following courses:

- 1. Tangent to said curve North 05°32'39" East 316.99 feet;
- 2. Northeasterly along a tangent 791.00 foot radius curve, concave Southeasterly, through a central angle of 62°49'09" an arc distance of 867.25 feet;
- Tangent to said curve North 68°21'48" East 41.60 feet;
- Northeasterly along a tangent 516.00 foot radius curve, concave Northwesterly, through a central angle of 35°33'47" an arc distance of 320.28 feet;
- 5. Tangent to said curve North 32°48'00" East 158.61 feet;

6. Westerly along a tangent 60.00 foot radius curve, concave Southwesterly, through a central angle of 101°44'42" an arc distance of 106.55 feet to the Southerly right-of-way of said College Avenue,

being also a point in a compound 1440.00 foot radius curve; thence Northwesterly along said right-of-way and compound curve through a central angle of 02°08'03" an arc distance of 53.64 feet; thence North 16°40'40" East 6.00 feet to a point in a non-tangent 1446.00 foot radius curve concave Southwesterly, a radial line to said point bears North 18°54'42" East; thence Northwesterly along said curve through a central angle of 01°59'07" an arc distance of 50.10 feet; thence along a non-tangent line North 16°55'35" East 124.00 feet to the Northerly right-of-way of said College Avenue, being also a point in a non-tangent 1570.00 foot radius curve concave Southwesterly; a radial line to said point bears North 16°55'35" East; thence Southeasterly along said right-of-way and curve through a central angle of 08°48'12" an arc distance of 241.22 feet to a point in a reverse 20.00 foot radius curve concave Northwesterly; thence Northeasterly along said reverse curve through a central angle of 78°31'00" an arc distance of 27.41 feet to a point in the Westerly right-of-way of said College Grove Drive; thence tangent to said curve, along said Westerly right-of-way, North 37°12'47" East 88.99 feet to the beginning of a tangent 50.00 foot radius curve concave Westerly; thence Northerly along said curve through a central angle of 58°00'22" an arc distance of 50.62 feet to a point in the Westerly right-of-way of said Racine Road; thence along a non-tangent line North 69°12'25" East 50.00 feet to the Easterly right-of-way of said Racine Road; thence along said Easterly right-of-way South 20°47'35" East 227.67 feet to the beginning of a tangent 475.00 foot radius curve concave Northeasterly; thence Southeasterly along said curve through a central angle of 19°39'25" an arc distance of 162.96 feet; thence tangent to said curve South 40°27'00" East 5.32 feet to the Easterly right-of-way of said College Avenue, being also a point in a non-tangent 1550.00 foot radius curve concave southwesterly, a radial line to said point bears North 39°14'35" East; thence Southeasterly along said Easterly right-of-way and curve through a central angle of 10°18'25" an arc distance of 278.83 feet; thence continuing along said Easterly right-of-way the following courses:

- 1. Tangent to said curve South 40°27'00" East 2673.42 feet;
- 2. South 49°18'15" East 64.78 feet;
- 3. South 40°25'15" East 116.03 feet;

Thence South 78°04'45" West 163.34 feet to a point in the right-of-way of California State Highway 94 as shown on CALTRANS right-of-way Map No. L.O. 37536, being also a point in a non-tangent 161.44 foot radius curve concave Northwesterly, a radial line to said point bears North 56°00'00" East; thence Southwesterly along said right-of-way and curve through a central angle of 73°08'50" an arc distance of 206.10 feet; thence continuing along said Highway right-of-way the following courses:

- 1. Tangent to said curve South 39°08'50" West 619.66 feet;
- 2. South 41°08'30" West 562.47 feet;
- 3. South 37°14'00" West 659.47 feet;
- 4. South 42°00'25" West 288.50 feet;

Thence South 36°19'18" West 529.72 feet to a point in the boundary of College Park Gardens, Map thereof No. 9312 as filed in the office of said County Recorder, being also a point in a non-tangent 270.00 foot radius curve concave Westerly, a radial line to said point bears South 56°34'37" East; thence along said boundary the following courses:

- 1. Northeasterly along said curve through a central angle of 86°11'23" an arc distance of 406.16 feet;
- 2. Tangent to said curve North 52°46'00" West 34.22 feet;
- North 37°14'00" East 40.00 feet;
- 4. North 52°47'00" West 335.67 feet;
- 5. Northwesterly along a tangent 50.00 foot radius curve through a central angle of 25°39'16", an arc distance of 22.39 feet;

Thence North 00°16'23" East 247.90 feet to the Northerly line of said Lot 13 of Rancho Mission; thence along said Northerly line North 88°57'10" East 35.72 feet to the Point of Beginning.

Parcel 2:

Beginning at the Southwesterly corner of said Lot 3 of Map No. 3589, being also the Northwesterly corner of Record of Survey Map No. 1224 as filed in the Office of said County Recorder; thence along the Northerly line of said Lot 13 of Rancho Mission South 88°57'10" West 35.22 feet to the TRUE POINT OF BEGINNING; thence continuing along said Northerly line South 88°57'10" West 2640.00 feet to the Westerly line of said Lot 13; thence along said Westerly line South 00°23'18" East 1650.00 feet; thence North 89°04'00" East 2372.88 feet to the Westerly right-of-way of said Highway 94; thence along said right-of-way North 39°08'17" East 395.07 feet to the boundary of said Map No. 9312; thence along said boundary North 00°16'23" East 1353.15 feet to the TRUE POINT OF BEGINNING.

ARTICLE IV

PROPOSED REDEVELOPMENT ACTIVITIES

SEC. 400 General Redevelopment Actions

- To obtain the objectives of the Plan as set forth in Section 110, the Agency proposes the following implementing actions:
 - A. Acquisition of property;
 - B. Rehabilitation or moving of certain structures;
 - C. Participation by owners and tenants;
 - D. Demolition, clearance, site preparation and construction of buildings, and public improvements;
 - E. Relocation assistance to displaced residential and non-residential occupants;
 - F. Disposition of property for uses in accordance with this Plan;
 - G. Development of circulation improvements and related facilities:
 - H. Other actions as appropriate.

SEC. 410 <u>Acquisition of Property</u>

- Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, all real property located in the Project, by gift, devise, exchange, purchase, eminent domain, or any other legal means.
- It is in the public interest and is necessary, in order to eliminate the conditions requiring redevelopment and in order to execute the Plan, for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area. However, the Agency shall not exercise the power of eminent domain to acquire any parcel of real property for which proceedings in eminent domain have not commenced within twelve (12) years after the effective date of the ordinance approving and adopting this Plan.

If an owner of real property has executed an agreement with the Agency, the Agency may not use the power of eminent domain for any purpose until and unless the owner defaults with regards to the terms and conditions of said agreement, and all rights and appeal procedures with regard to the default have been exhausted.

In the event that it is determined that a particular portion of any real property is required, then the power of eminent domain shall not be exercised until a public hearing has been held before the Agency, with written notice of the said hearing given to all affected property owners as may be indicated on the latest tax assessment records, not less than ten (10) days prior to said hearing.

- The Agency shall not <u>be required to</u> acquire interests in oil, gas or other mineral substances within the Project, except to preclude drilling within the Project within 500 feet of the surface.
- The Agency is not authorized by law to acquire real property owned by public bodies which do not consent to such acquisition.
- The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement.
- The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee.
- The Agency shall not acquire real property in which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless (1) such building requires structural alteration, improvement, modernization, or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape, or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the Plan and the owner fails or refuses to participate in the Plan by executing a participation agreement.
- 410.8 Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project by any lawful means except eminent domain.

SEC. 420 Rehabilitation and Moving of Structures

The Agency is authorized to rehabilitate or to cause to be rehabilitated any building or structure in the Project. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation of property not owned or acquired by the Agency.

420.2 As necessary in carrying out this Plan, the Agency is authorized to move or to cause to be moved any standard structure or building, or any structure or building which can be rehabilitated, to a location within or outside the Project.

SEC. 430 Participation by Owners and Tenants

- The Agency shall extend preferences to persons who are engaged in business in the Project to reenter in business within the redeveloped area if they otherwise meet the requirements prescribed by the Plan.
- Persons who are owners of residential, business and other types of real property in the Project shall be given the opportunity to participate in redevelopment by rehabilitation, by retention of improvements, or by new development by retaining all or a portion of their properties, or by selling their properties to the Agency and purchasing and developing other properties in the Project.
- In the event an owner-participant fails or refuses to maintain, or rehabilitate or newly develop his real property pursuant to this Plan and a Participation Agreement (as defined in Section 430.8), the real property or any interest therein may be acquired by the Agency.
- If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants.
- In addition to opportunities for participation by individual persons and firms, participation to the extent it is feasible shall be available for two or more persons, firms or institutions, to join together in partnerships, corporations, or other joint entities.
- 430.6 The Agency shall promulgate and, as appropriate, amend rules for owner and tenant participation.
- 430.7 Participation opportunities are necessarily subject to and limited by factors such as the following:
 - A. The elimination and/or modification of some land uses.
 - B. The construction, realignment, widening or abandonment of some streets and public rights-of-way.
 - C. The ability of participants to finance proposed improvements.
 - D. The reduction of the total number of individual parcels in the Project.
 - E. The construction or expansion of public facilities.

- F. Change in orientation and character of portions of the Project.
- G. The preservation and/or rehabilitation of existing buildings which have historical and/or architectural qualities that will enhance the Project.
- Each participant who has submitted an acceptable proposal to the Agency shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, or use and maintain the property in conformance with the Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Plan applicable to their properties.
- 430.9 Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project.
- SEC. 440 <u>Demolition, Clearance, Public Improvements, Building and Site</u>
 Preparation
- The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property in the Project as necessary to carry out the objectives of this Plan.
- To the extent and in the manner permitted by law, the Agency is authorized to install and construct or to cause to be installed and constructed the public improvements and public utilities (within or outside the Project) necessary to carry out the Plan. Such public improvements include, but are not limited to, over- and under-passes, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, parks, plazas, playgrounds, motor vehicle parking facilities, landscaped areas, street furnishings, transportation facilities, and freeway on- and off-ramps.
- To the extent and in the manner permitted by law, the Agency is authorized to prepare, or cause to be prepared, as building sites any real property in the Project <u>Area</u> owned by the Agency. The Agency is also authorized, to such extent and in such manner permitted by law, to construct foundations, platforms, and other structural forms buildings to be used for commercial, public, and other uses provided in this Plan.
- SEC. 450 Relocation Assistance to Displaced Residential and Non-Residential Occupants
- The Agency shall assist all persons (including individuals and families), business concerns, and others displaced by the Project in finding other locations and facilities. In order to carry out the Project

with a minimum of hardship to persons (including individuals and families), business concerns, and others, if any, displaced from their respective places of residence or business by the Project, the Agency shall assist such persons and business concerns in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs.

- The Agency shall make relocation payments to persons (including individuals and families), business concerns, and others displaced by the Project, for moving expenses and direct losses of personal property, for which reimbursement or compensation is not otherwise made, and shall make such additional relocation payments as may be required by law. Such relocation payment shall be made pursuant to the Agency rules and regulations, the California Relocation Assistance Law (Government Code, Section 7260 et. seq.) and the guidelines of the California Department of Housing and Community Development adopted and promulgated pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.
- The Agency will assure that sufficient land be made available for suitable housing for rental or purchase by persons and families of low and moderate income (as defined in Section 50093 of the California Health and Safety Code), and very low income households (as defined in Section 50105 of the California Health and Safety Code) displaced by the Project.
- Whenever all or any portion of the Project is developed with low- or moderate-income dwelling units, the Agency shall require by contract, or other appropriate means, that such dwelling units shall be made available for rent or purchase to the persons and families of low or moderate income displaced by the Project. Such persons and families shall be given priority in renting or purchasing such dwelling units; provided, however, failure to give such priority shall not affect the validity of title to the real property upon which such dwelling units have been developed.
- If insufficient suitable housing units are available in the community for low- and moderate-income persons and families to be displaced from a Redevelopment Project Area, the City Council shall assure that sufficient land be made available for suitable housing for rental or purchase for low- and moderate-income persons and families. If insufficient suitable housing units are available in the community for use by such persons and families of low and moderate income displaced by the redevelopment project, the Redevelopment Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation or construction of housing units within the community, both inside and outside of Redevelopment Project Areas.

SEC. 455 Provision for Low- and Moderate-Income Housing

- a) At least thirty percent (30%) of all new or rehabilitated dwelling units developed by the Agency in connection with the Project shall be available at affordable housing costs to persons and families of low- or moderate-income. Of such thirty percent (30%), not less than fifty percent (50%) shall be available at affordable housing costs to, and occupied by very low-income families; b) At least fifteen percent (15%) of all new or rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency shall be at affordable housing costs to persons and families of low- or moderate-income. Of such fifteen percent (15%), not less than forty percent (40%) thereof shall be available at affordable housing costs to very low-income households; and c) The requirements of this Section shall apply independent of the requirements of Section 455.2 and in the aggregate to housing made available pursuant to a) and b), respectively, and not to each individual case of rehabilitation, development, or construction of dwelling units.
 - Whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as a part of the redevelopment of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income, an equal number of replacement dwelling units at affordable housing cost within the City.
 - The Agency shall require that the aggregate number of replacement dwelling units and other dwelling units rehabilitated, developed, or constructed pursuant to Section 455.1 and 455.2 remain available at affordable housing cost to persons and families of low income, moderate income, and very low income households, respectively, for not less than the period set forth in Section 900 for the duration of this Plan.
 - Not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 610 shall be used by the Agency for the purposes of increasing and improving the City's supply of housing for persons and families of low- or moderate-income, and very low-income households, unless one of the following findings is made:
 - A. That no need exists in the City to improve or increase the supply of low- and moderate-income housing in a manner which would benefit the Project Area; or
 - B. That some stated percentage less than twenty percent (20%) of the taxes which are allocated to the Agency pursuant to Section 610 is sufficient to meet such housing need; or

- C. That a substantial effort to meet low- and moderate-income housing needs in the community is being made, and that this effort, including the obligation of funds currently available for the benefit of the community from State, local, and Federal sources for low- and moderate-income housing alone, or in combination with the taxes allocated under this provision, is equivalent in impact to the funds otherwise required to be set aside pursuant to this provision.
- SEC. 460 <u>Disposition and Redevelopment of Property for Uses in Accordance with This Plan</u>
- For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest <u>it has</u> in real property. Neither all nor any portion of any property shall be resold by the Agency to the person from whom such property was obtained at a price lower than that for which it was purchased by the Agency.
- To the extent and in the manner permitted by law, the Agency is authorized to dispose of real property by negotiated lease or sale or transfer without public bidding.
- All real property acquired by the Agency in the Project shall be sold or leased for development for prices which shall not be less than fair value for the uses in accordance with this Plan. Real property acquired by the Agency may be conveyed by the Agency without charge to the City and where beneficial to the Project, without charge to any other public body. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.
- Pursuant to the provisions of this Plan and the rules adopted by the Agency, the Agency shall give reasonable preference for real property acquired by the Agency in the Project for purchase and development by owner and tenant participants on a preference basis over persons who are not owners or tenants in the Project.
- The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to insure that developments are carried out pursuant to this Plan.
- All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

- To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan by appropriate documentation. Where appropriate, as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of the County.
- The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.
- All property in the Project is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, sex, marital status, color, religion, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for sale, lease, sublease, or other transfer of land in the Project shall contain such non-discrimination and nonsegregation clauses as are required by law.
- To the extent and in the manner now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any building, facility, structure, or other improvement either, within or outside the Project, for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project. The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant to this Section 460.10 and the obligation of the Agency under such contract, lease or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project and allocated by Agency under subdivision (b) of Section 33670 of the California Community Redevelopment Law and under Section 610 of this Plan, or out of any other available funds.

Without limiting the generality of foregoing, the Agency may pay for, install, or construct the following facilities, and may acquire or pay for land required therefore:

- A. Roads and right-of-way areas
- B. Parks
- C. Landscaping and lighting
- D. Sewers, drainage, water utilities

- E. Parking facilities
- F. Freeway on- and off-ramps

Specifically, and not by way of limitation, the Agency is hereby authorized to install, construct and/or provide funds for the following:

- A. Freeway On- and Off-Ramps
 Capital construction, design and engineering of the eastbound on- and off-ramp from Route 94 to College Grove Drive, extending across Parcel No. 478-150-01 and including a noise abatement screen wall.
- B. Right-of-Way Infrastructure Improvements
 Capital construction, design and engineering of the following right-of-way infrastructure improvements:

1. Traffic signals.

- Curbs, gutters, sidewalks, utilities, landscaping, medians, and other right-of-way improvements associated with College Grove Drive, College Avenue and College Grove Way.
- 460.11 All plans for site development, redevelopment, or modification (whether public or private) shall be submitted to the Agency for approval and architectural review and shall be in substantial conformance to the PCD or be processed as an amendment thereto. All development in the Project must conform to this Plan, the Community Plan, and all applicable Federal, State, and local laws, and must receive the approval of the appropriate public agencies.
- During the period of development in the Project, the Agency shall insure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Project is proceeding in accordance with disposition and development documents and time schedules.
- 460.13 For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property.
- SEC. 470 Development of Circulation Improvements and Related Facilities
- Since circulation is essential to the Project as well as to the entire community, the Agency, in cooperation with the City, the California Department of Transportation (CALTRANS), and, as appropriate with other entities, may explore concepts and develop improvements and facilities to enhance local and regional circulation of the area. Possible con-

cepts and proposals include: construction of freeway on- and off-ramps; bridging, decking or depression of vehicle and pedestrian rights-of-way; realignment of streets; introduction of on- and off-street parking; and expansion of transit modes throughout the Project Area.

- Parking sites may be established on property in the Project Area to replace off-site parking and expand on-site parking, as appropriate.
- The Agency shall review all design plans in order to determine that easements, right-of-way, and development linkages can be effectuated both internally and externally of the Project in order to assure continuous and utmost efficiency in development.

SEC. 480 Other Actions as Appropriate

- Certain public bodies are authorized by State law to aid and cooperate, with or without consideration, in the planning, undertaking, construction or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.
- The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. The Agency shall impose on all public bodies the planning and design controls contained in the Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall be subject to Agency approval. The Agency is authorized to the extent and in the manner permitted by law to financially and otherwise assist any public body in the cost of public land, buildings, facilities, structures, or other improvements, within or outside of the Project Area.
- The Agency may pay to any taxing agency (other than the City) located within the Project Area any amounts of money which, in the Agency's determination, are appropriate to alleviate any financial burden or detriment caused to any such taxing agency by the Project, pursuant to the limitations of the California Community Redevelopment Law.
- During such time as property, if any, in the Project area is owned by the Agency, such property shall be under the management, maintenance, and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

The Agency is authorized, but not required, in any year during which it owns property in the project, to make payments (in lieu of property taxes) to taxing agencies for whose benefit a tax would have been levied upon such property had it not been exempt by reason of the Agency's ownership.

ARTICLE V

USES PERMITTED AND PLANNING CONSIDERATIONS

SEC. 500 Land Use and Plan Development Considerations

The Plan for redevelopment of the Project Area is based upon the College Grove Preliminary Redevelopment Plan which was approved by the Planning Commission and conforms and complies with the goals, objectives, and policies of the <u>San Diego</u> General Planand Mid-City Community Plana. The Agency may request the City to consider General Planand Community Planamendments regarding land use designation changes in order to effectuate the intent of the Redevelopment Planand Mid-City Community Plan land uses within the Project Area are set forth in Exhibit III.

The Land Use Map sets forth the proposed public rights-of-way and land uses to be permitted in the Project Area. Except as inconsistent with the Plan, all development shall conform to the requirements of applicable State statutes and local codes as they now exist or are hereafter amended.

Areas designated for commercial uses on the Map attached hereto shall be developed according to the regulations, requirements, restrictions, and provisions of the Municipal Code, as amended, pertaining to the development of said commercial land use designations, and in conformance with the adopted or amended General Plan, and Community Plan.

Property Devoted to Public Purposes and the Nature of Such Public Purpose

Public, semi-public, institutional, and non-profit uses, public rights-of-way and easements shall conform to the provision of this Plan.

A. <u>Public Uses</u>

Any public uses, be they those which are designated on the General Plan and/or Community Plan, as amended, and/or this Redevelopment Plan, as proposed for specific parcels of property; those contemplated uses which are set forth hereinafter and which are not designated as to specific sites; or those which may later be deemed to be required, shall be permitted on any property within the Project Area, or on property outside the Project Area, if it is determined that the proposed public use benefits the Project Area, and the proposed location is best suited for this intended use.

B. Public Rights-of-Way and Easements

Areas designated for public rights-of-way and streets on the map attached hereto shall be used for vehicular, bicycle, and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. Such streets and rights-of-way may be widened, altered, abandoned, vacated or closed by the Agency and the City as necessary for property development of the Project. Additional public streets, alleys, and other rights-of-way, overpasses, underpasses, vehicle, pedestrian and bikeway bridges, and traffic control devices including, but not limited to, median strips and signalization may be created and constructed by the Agency and the City in the Project Area as needed for proper development.

Some of the existing rights-of-way within the Project Area may be redesigned, altered, or reconstructed, so as to mitigate negative visual impacts that presently exist. The reconstruction may include the installation of landscaping, modifications of wall construction and/or sidewalks, undergrounding of public utilities, and/or other measures as may be deemed appropriate and necessary to eliminate blighted characteristics and conditions within the Project Area.

Areas designated for easements on the map attached hereto shall be used for public improvements, public and private utilities and facilities, and activities typically found in easements. Such easements may be retained, widened, altered, abandoned, vacated or closed by the Agency and the City as necessary for proper development of the project. Additional easements may be created by the Agency and the City in the Project Area as needed for proper development.

C. Other Semi-public, Institutional and Nonprofit Uses

In any area designated on the map attached hereto, the Agency is authorized to permit the establishment, development or enlargement of public, semipublic, institutional, or nonprofit uses, including park and recreational facilities, libraries, hospitals, educational, fraternal, employee, philanthropic and charitable institutions, and facilities of other similar associations or organizations. All such uses shall be developed according to the regulations, requirements, restrictions, and provisions of the Municipal Code and shall conform as far as possible to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose reasonable restrictions consistent with the General Plan, Community Plan, And Municipal Code as are necessary to protect the development and use of the Project Area.

D. Air Rights Uses

The air rights over public rights-of-way may be used for private uses, buildings, or platform decks subject to Agency approval. The public rights-of-way may further be used for transportation systems, vehicular and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

SEC. 510 General Controls and Limitations

- All real property in the Project Area is hereby made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of the Plan, except in conformance with the provisions of this Plan.
- All new construction and/or rehabilitation of existing structures within the Project shall comply with all applicable State and local laws in effect from time to time including, without limitation, the Building, Electrical, Heating and Ventilating, Housing and Plumbing Codes of the City and the City Zoning Ordinance.
- No dwelling units shall be permitted in the Project Area, except as may be permitted as a result of an amendment to the General Plan or Mid-City Community Plan, prior to or following the effective date of this Plan. Said permitted number of dwelling units shall be incorporated herein by reference.
- 510.4 Except as set forth in other sections of this Plan, the height, type and size of buildings shall be limited by the PCD and any other applicable State statutes, and local codes and ordinances.
- 510.5 The number of detached buildings in the Project Area shall be in substantial conformance with PCD or amendment thereto.
- Signs in the Project Area are subject to the regulations and limitations set forth in the PCD comprehensive sign program and in those chapters and sections of the Zoning Ordinance of the City regulating signs. Exterior signs necessary for identification of buildings, premises, and uses of particular parcels shall be permitted within the Project Area, provided the design and specifications for such designs shall be in accordance with adopted standards and specifications. All signs shall be compatible with the aesthetic standards of the redevelopment project.
- The Agency is authorized to permit an existing use to remain in an existing building which is in good condition provided that such use is generally compatible with the developments and uses in the Project. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project.

- In all areas sufficient space shall be maintained between buildings to provide adequate light, air and privacy.
- The Agency shall require that all utilities be placed underground when physically and economically feasible, as determined by the Agency.
- No use or structure, which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors would be incompatible with the surrounding areas or structures, shall be permitted in any part of the Project. Within the Project, except with the approval of the Agency, there shall be no extraction of oil, gas, or other mineral substances, nor any opening or penetration for any purpose connected therewith within 500 feet of the surface.
- 510.11 After rehabilitation and development pursuant to the Plan, no parcel in the Project Area, including any parcel retained by a conforming owner or participant, shall be subdivided without Agency approval.
- The approximate amount of open space to be provided in the Project Area includes, but is not limited, to, the total of all areas which will be in the public rights-of-way, parks and recreational areas, the space around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping plans shall be submitted to the Agency for review and approval to ensure optimum use of living plant material.
- The Agency may establish setbacks and other development requirements for all development within the Project Area which may exceed or otherwise alter the requirements of the <u>PCD</u> and the City's current Zoning Ordinances, provided, however, that a) in no instance shall the standards be less than that required by the City except as approved by the City Council; and b) all modified setbacks and other development requirements are approved by the City Council.
- The Agency may establish parking requirements for all development within the Project Area which may exceed or otherwise alter the requirements of the City's current Zoning Ordinance and PCD provided, however, that a) in no instance shall the standards be less than that required by the City except as approved by the City Council; and b) all modified parking requirements are approved and authorized by the City Council. Parking spaces shall be paved and drained so that storm and surface waters draining from parcels will not cross public sidewalks. Parking spaces visible from streets shall be reasonably landscaped as necessary to prevent unsightly or barren appearance.
- 510.15 The Agency has established that off-street loading spaces shall be located in a manner to avoid interference with public use of sidewalks and streets. Off-street loading spaces shall be paved and drained so that storm and surface waters draining from other parcels will not cross public sidewalks. Loading spaces visible from streets shall be reasonably

landscaped to prevent an unsightly or barren appearance. Whenever feasible, loading spaces shall be located to avoid fronting on public streets.

The Agency may require owners of existing structures in the Project Area to landscape and/or screen their property if, in the opinion of the Agency, the structure is detracting substantially from the improved appearance of the surrounding area. In addition, the Agency may require additional landscaping requirements which exceed the requirements of the Zoning Ordinance, provided, however, that all modified landscaping requirements are approved and authorized by the City Council. All outdoor storage of materials or equipment shall be enclosed or screened by walls, landscaping, or other enclosure to the extent and in the manner conducive to a quality environment.

Rights-of-Way, public or private, for streets, pedestrian paths, malls, vehicular access to parking and loading areas, service roads, and easements for utilities may be established by the Agency or by others upon approval of the Agency.

No structure shall be built upon an easement without review and approval by the Planning Commission and the prior written consent of the Agency and City Council.

Should construction be permitted, the Agency and the City must be held harmless from any subsequent damage to either the improvement or the easement.

The Executive Director of the Agency or his designee is authorized to permit a variation from the limits, restrictions and controls established by the Plan. In order to permit such variation, the Executive Director or his designee must determine that:

- A. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships which would make development inconsistent with the general purposes and intent of the Plan, or
- B. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls, or
- C. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the Area and contrary to the objectives of the Plan.
- D. When such a variation is authorized, the Executive Director shall make an informational report to the Redevelopment Agency and Planning Commission.

- No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with purposes of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.
- There shall be no discrimination or segregation based upon race, sex, marital status, color, creed, religion, national origin, or ancestry permitted in the sale, or lease, sublease, transfer, use occupancy tenure, or enjoyment of property in the Project.

Design for Development Within the limits, restrictions, and controls established in the Plan and the PCD, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for property development of both private and public areas within the Project Area.

The Agency may pursue and/or encourage the development, redevelopment, and/or rehabilitation of particular and/or unique integral areas of the Project area, which require design and development standards different or more than those set forth in the Zoning Ordinance of the City. The Agency is authorized to establish specific heights of buildings, land coverage, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public improvements within these areas of the Project Area, so long as they conform with the provisions of the PCD.

Prior to establishing said development and design controls, the Agency shall by resolution designate the boundaries of the area where said development and design controls shall apply and shall make the finding that said controls are necessary to ensure a coordinated and comprehensive development or redevelopment of the area.

Without limiting the foregoing, all such development in the Project Area shall conform with controls set forth in the approved Planned Commercial Development (PCD) for the redevelopment of the College Grove Shopping Center approved by the City.

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Plan and PCD, and in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property in the discretion of the Agency in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Pro-

ject Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

SEC.530 Submission of Schematic Plans

- Every public and private developer of land within the Project Area shall submit to the Agency complete schematic plans showing the proposed development and all important aspects relating to the Project and any significant considerations involving the surrounding area, especially vistas and sun, light and wind factors. Such plans shall be in substantial conformance with the PCD established for the project, as amended.
- The Planning Commission shall review the schematic plans and make a recommendation to the Redevelopment Agency within thirty (30) days from receipt of said plans. The Redevelopment Agency will make a final decision of either approval, conditional approval, or denial.

SEC. 540 Building Permits

- No permits shall be issued for the construction of any new building or any addition to an existing building in the Project Area from the date of adoption of this Plan until the application of such permit has been processed in the manner provided. Any permit that is issued hereunder must be in conformance with the provisions and intent of this Plan.
- Upon receipt of such an application, the City shall request the Agency to review the application to determine what effect, if any, the issuance thereof would have upon the Plan for said Project. Within 45 days thereafter, the Agency shall file with the City a written report setting forth its findings of fact, including but not limited to, the following:
 - A. Whether the applicant has entered into an agreement with the Agency for the development of said improvements and has previously submitted architectural, landscape and site plans to the Agency, and
 - B. Whether the proposed improvements would be compatible with the standards and other requirements set forth in the Plan; and
 - C. Whether the modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of the Plan.
- After receipt of said report or after said 45 day period, whichever occurs first, the City may allow the issuance of the permit with conditions, or shall withhold the issuance of the permit if it finds that

the proposed improvements do not meet the requirements of the Plan. Within five (5) days after allowing or withholding issuance of the permit, the City shall notify by certified mail the applicant and the Agency of its decision.

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency.

ARTICLE VI

METHODS FOR FINANCING THE PROJECT

SEC. 600 General Description of the Proposed Financing Methods

- The Agency is authorized to finance this Project with financial assistance from the City, State, or Federal Governments of the United State of America, property tax increments, special assessment districts, donations, interest income, Agency bonds, loans from private financial institutions, the lease of Agency-owned property, sale of Agency-owned property, and/or any other available source.
- Advances and loans for planning and for administration of this Project may be provided by the City. Additional funds may be obtained from any of the sources identified above until adequate tax increments or other funds are available or sufficiently assured to permit borrowing adequate working capital from sources other than the City and to repay the loans. The City may supply additional assistance by obtaining loans and grants for various public facilities.
- As available, gas tax funds from the State and County may be used for street improvements and public transit facilities. A portion of the parking may be installed through a parking authority or other public or private entities.
- It is estimated that the total Agency project cost will not exceed revenues derived from the Project. Revenues will be received from the following: tax increments, revenue from the lease or sale of Agency-owned lands and buildings; lease-back arrangements; gas tax and other special uses taxes and other sources which are now or may become available to the Agency.
- Any other loans, grants, or financial assistance from the United States, or any other public or private source, will be utilized if available.

SEC. 610 Tax Increment

- 610.1 The Project assessed valuation base will be established in accordance with State law as described herein. Any tax increments will be used to defray project expenses to the extent allowable from the increment itself or from the sale of tax allocation bonds.
- All taxes levied upon taxable property within the Project each year by or for the benefit of the State, County, City, any district, or other public corporation, hereinafter sometimes called "taxing agencies," after the effective date of the ordinance approving this Plan shall be divided as follows:

- Α. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies. Such payment shall occur as taxes by or for said taxing agencies on all other property are paid. For the purpose of allocated taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance, but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project on said effective date.
- В. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on bonds, loans, monies advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, inc@rred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed value of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in paragraph A hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and indebtedness, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

That portion of tax revenues allocated to the Agency pursuant to this paragraph which an affected taxing agency elects to receive pursuant to Section 33676 of the Redevelopment Law, shall be allocated to such affected taxing agency to the extent required by law.

The portion of taxes mentioned in paragraph (B) above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise by the Agency to finance or refinance the Project in whole or in part.

- The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.
- The total number of dollars of taxes which may be divided and allocated to the Agency for the Project pursuant to Section 610.2 shall not exceed \$50 million.

SEC. 620 Bonds, Advances and Indebtedness

- 620.1 The Agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the Project.
- The Agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the Agency.
- Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.
- The bonds and other obligations of the Agency are not a debt of the City, the State, nor shall any of its political sub-division be liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency; and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.
- No loan, advances or other indebtedness to finance the Project and to be repaid from the division and allocation of taxes to the Agency pursuant to Section 610.2 shall be established or incurred by the Agency after 45 years from the date of adoption of this Plan by the City Council. However, such loans, advances or other indebtedness may be repaid over a period of time which extends beyond such date.
- The amount of bonded indebtedness to be repaid in whole or in part from taxes allocated to the Agency pursuant to Section 610.2, which can be outstanding at one time shall not exceed \$20 million.

SEC. 630 Sales and Use Tax Financing

The requirements and provisions of the California Revenue and Taxation Code shall apply to the use by the Agency of sales and use tax financing.

ARTICLE VII .

ACTIONS BY THE CITY

SEC. 700 Actions by the City

700.1 The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the City shall include, but not be limited to, the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, freeway on- and off-ramps, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project. Such action by the City shall include causing the abandonment and relocation by public utility companies of their operations in the public rights-of-way as appropriate to carry out this Plan and as required by law.
- B. Institution and completion of proceedings necessary for changes and improvements in private and public-owned public utilities within or affecting the Project.
- C. Imposition wherever necessary, by conditional use permits or other means, of appropriate controls within the limits of this Plan upon parcels utilized for residential uses in the Project to ensure their proper development and use.
- D. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project throughout the duration of this Plan.
- E. Encourage the provision of a variety of housing types both in terms of income and construction, using Federal and State assistance as appropriate.
- F. Performance of the above, and of all other functions and services relating to public health, safety, and physical development which will permit the redevelopment of the Project to be commenced and carried to completion without unnecessary delays.
- G. The undertaking and completing of any other proceedings necessary to carry out the Project.

ARTICLE VIII

ADMINISTRATION AND ENFORCEMENT OF THE PLAN

SEC. 800 Administration and Enforcement of the Plan

- 800.1 The administration and enforcement of this Plan, or other documents formulated pursuant to this Plan shall be performed by the Agency and/or the City.
- The provisions of this Plan or other documents formulated pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purpose of this Plan. In addition, any recorded provisions which are expressly for the benefit of property in the Project may be enforced by such owners.

ARTICLE IX

DURATION OF THIS PLAN

SEC. 900 Duration of This Plan

- 900.1 Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for forty-five (45) years from the date of adoption of this Plan by the City Council.
- The Redevelopment Agency shall, in accordance with the Community Redevelopment Law, conduct a biennial public hearing to evaluate the progress of the Redevelopment Plan for the Project and hear the testimony of all interested parties.

ARTICLE X

PROCEDURE FOR AMENDMENT

SEC. 1000 Procedure for Amendment

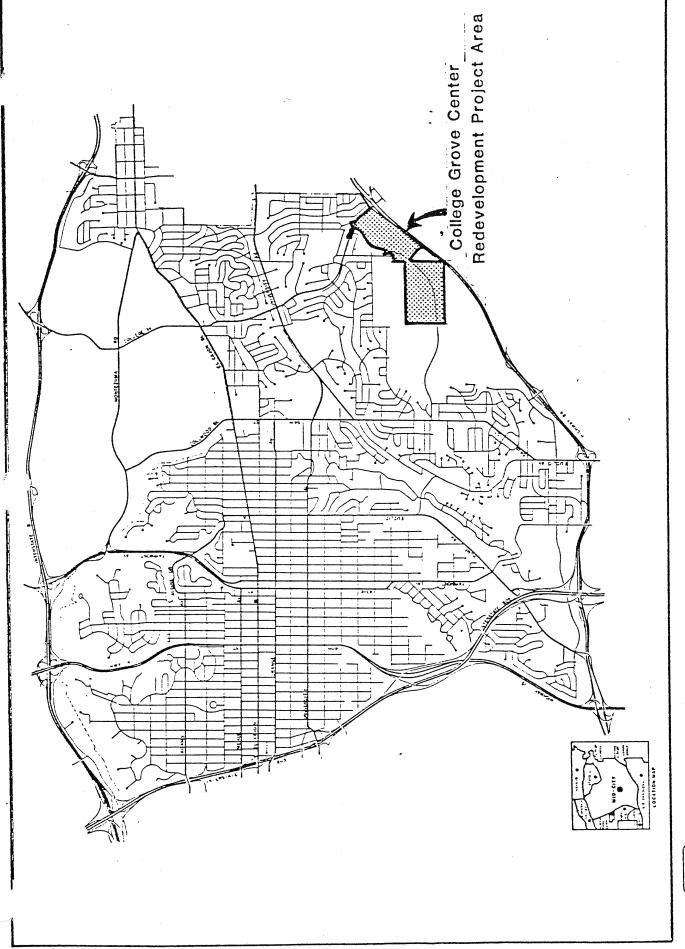
This Plan may be amended by means of the procedure established in the California Redevelopment Law (see California Health and Safety Code Sections 33450 and 33458), as same now exists or as hereafter amended, or by any other procedure hereafter established by law.

ARTICLE XI

SEVERABILITY

SEC. 1100 Severability

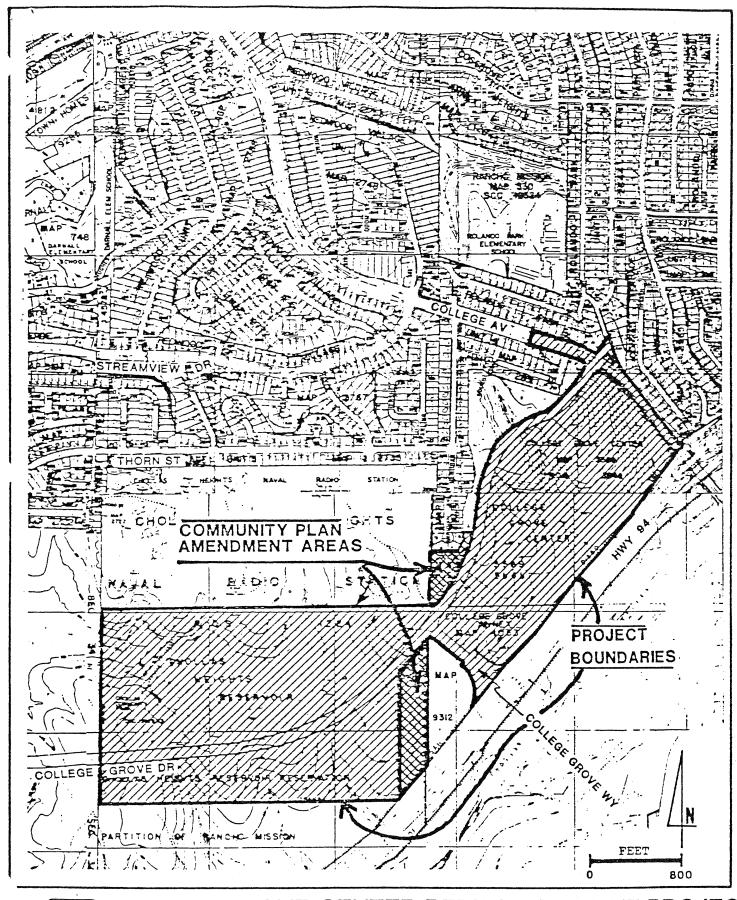
1100.1 If any portion or section of this Redevelopment Plan is designated to be unconstitutional or violative of the California Community Redevelopment Law, then only that section or portion shall be stricken from the Plan. Such determination of constitutionality or infeasibility shall not affect the remainder of the Redevelopment Plan.



MID-CITY COMMUNITY

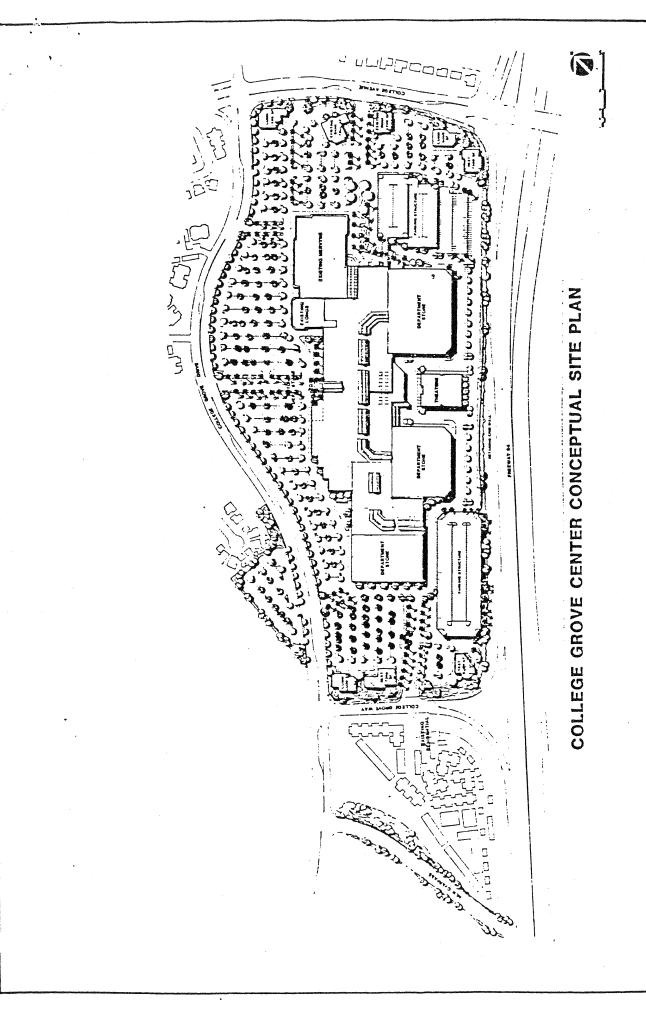
Location Map

CITY OF SAN DIEGO PLANNING DEPARTMENT



college grove center redevelopement project Location Map

CITY OF SAN DIEGO · PLANNING DEPARTMENT



MID-CITY COMMUNITY . Location Map

CITY OF SAN DIEGO PLANNING DEPARTMENT